IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.460 OF 2006

Seth Ashok Gupta ...Plaintiff

vs.

1. S.P.Kaku & another. ...Defendants

...

Mr.B.P.Manek i/b. Tushar Goradia, for Plaintiff.

None for Defendants.

CORAM: D.K.DESHMUKH, J.

DATED: 6th DECEMBER,2006

P.C.:

. On a motion made by the learned Counsel appearing for plaintiff, suit is allowed to be withdrawn against defendant no.2. Writ of summons has been served on defendant no.1. The defendant no.1 is not appearing though served. Affidavit of service has been filed. Heard the learned Counsel appearing for plaintiff. Perused the record including original documents. Suit is decreed only against defendant no.1 in terms of prayer clause of the suit. Refund of court fees as per rules.

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